

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application
Inventor(s): Jeffrey W. Carr
Appl. No.: 10/002,035
Confirm. No.: 5043
Filed: November 1, 2001
Title: APPARATUS AND METHOD FOR
ATMOSPHERIC PRESSURE REACTIVE
ATOM PLASMA PROCESSING FOR
SHAPING OF DAMAGE FREE SURFACES

PATENT APPLICATION

Art Unit: 1792
Examiner: Olsen, Allen W.

Customer No. 23910

**TRANSMITTAL LETTER RE INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- As allowed under 37 C.F.R. § 1.98(a)(2)(ii), no copies of the U.S. patents and U.S. patent application publications are enclosed, unless required by the office.
- As allowed under 37 CFR §1.98(d), copies of cited documents noted with an asterisk are not enclosed because they were previously submitted in U.S. Patent Application No. / , which is relied on for an earlier effective filing date under 35 USC §120, and which included an Information Disclosure Statement that complies with 37 CFR §1.98(a) through (c).
- A copy of a Supplemental European Search Report dated March 5, 2008 for EP Application No. 02706029.2.
- A copy of a Supplemental European Search Report dated March 7, 2008 for EP Application No. 02706044.1.

— If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

This statement should be considered because:

37 C.F.R. §1.97(c). Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

(1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.
— AND (*check at least one of the following*) --
— (a) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
— -- OR --
 (b) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

Fee Authorization. The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325.

Respectfully submitted,

FLIESLER MEYER LLP

Date: April 16, 2008

By: /Michael L. Robbins/
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